

**MINUTES OF THE STANDING COMMITTEE ON
TAX POLICY**

Wednesday, November 30, 2005

9:00 A.M.

Room 521 House Office Building

Chairman Sheen called the meeting to order.

MEMBERS PRESENT: Reps. Sheen, Meyer, Gosselin, Newell, Drolet, Palmer, Hoogendyk, Stakoe, Jones, Marleau, Condino, Bieda, Farrah, Zelenko, Miller, Meisner, Bennett. (17/17)

MEMBERS ABSENT/EXCUSED: None. (0/17)

Representative Gosselin moved to approve the minutes of the October 19 and October 26, 2005 meetings. **Representative Jones** supported the motion. Without objections, the minutes were approved.

Chairman Sheen laid **HB 4244, HB 5355, HB 5356, HB 5357, HB 5358, HB 5359, HB 5360, HB 5361, HB 5362, HB 5363, HB 5364** and **HB 5386** before the committee.

HB 4244	Hummel	Taxation; administration; right to an informal conference; clarify.
HB 5355	Sheen	Taxation; administration; issuance of retroactive application; modify.
HB 5356	Wenke	Taxation; administration; requirement for auditors to identify refund opportunities; provide for.
HB 5357	Meyer	Taxation; administration; right to claim credit amounts as an offset against debt amounts in an audit; provide for.
HB 5358	Wenke	Taxation; administration; procedure to challenge audit determinations that result in a refund; provide for.
HB 5359	Emmons	Taxation; administration; procedure to allow a taxpayer who is in informal conference to convert an assessment challenge to a claim for refund; provide for.
HB 5360	Jones	Taxation; administration; informal conference; provide procedures for informal conference to be considered denied.
HB 5361	Marleau	Taxation; administration; filing period for informal conference; extend.

HB 5362	Drolet	Taxation; administration; taxpayer right to rely on bulletins and private letter rulings from department of treasury; provide for.
HB 5363	Stakoe	Taxation; administration; authority of state treasurer to settle tax disputes; provide for certain procedures.
HB 5364	Green	Property tax; payment and collection; penalties and interest on personal property; modify.
HB 5386	Kahn	Use tax; exemptions; certain exemptions; eliminate.

Representative Lorence Wenke, sponsor of **HB 5356**, testified before the committee.

Dan Smith, representing the Detroit Regional Chamber of Commerce, testified before the committee in support of the package of bills.

June Summers-Haas, representing the Detroit Regional Chamber of Commerce, testified before the committee in support of the package of bills.

Tricia Kinley, representing the Michigan Chamber of Commerce, testified before the committee in support of the package of bills.

Sue Kinney-Huffman, representing the Michigan Chamber of Commerce, testified before the committee in support of the package of bills.

Eric Nemeth, representing the Michigan State Bar – Taxation Section, testified before the committee in support of the package of bills.

Peggy Johnson, representing the Michigan Department of Treasury, testified before the committee in support of **HB 5356**, **HB 5358**, **HB 5359**, **HB 5360** and **HB 5361**.

Peggy Johnson, representing the Michigan Department of Treasury, testified before the committee in opposition to **HB 5355**, **HB 5362**, **HB 5363** and **HB 5364**.

Peggy Johnson, representing the Michigan Department of Treasury, testified before the committee in opposition to **HB 4244** and **HB 5357** as written.

Howard Heideman, representing the Michigan Department of Treasury, testified before the committee in opposition to **HB 5364**.

Keith Carey, representing the National Federation of Independent Business, turned in a testimony card in support of the package of bills but did not wish to speak.

Stacy Owen, representing the Michigan Association of County Treasurers, turned in a testimony card in support of **HB 5364 (H-2)** but did not wish to speak.

Mickey Knight, representing the Michigan Assessors Association, turned in a testimony card in opposition to **HB 5364** but did not wish to speak.

Representative Gosselin moved to adopt the **(H-1)** substitute to **HB 4244**. **Representative Marleau** supported the motion.

FAVORABLE ROLL CALL:

YEAS: Reps. Sheen, Gosselin, Newell, Drolet, Palmer, Hoogendyk, Stakoe, Jones, Marleau, Condino, Bieda, Farrah, Zelenko, Miller, Meisner, Bennett. (16/17)

NAYS: None. (0/17)

PASS: None. (0/17)

A sufficient number of members voting in the affirmative, the motion prevailed.

Representative Bieda moved to report **HB 4244** as an **(H-1)**, with recommendation. **Representative Gosselin** supported the motion.

FAVORABLE ROLL CALL:

YEAS: Reps. Sheen, Gosselin, Newell, Drolet, Palmer, Hoogendyk, Stakoe, Jones, Marleau, Condino, Bieda, Farrah, Zelenko, Miller, Meisner, Bennett. (16/17)

NAYS: None. (0/17)

PASS: None. (0/17)

A sufficient number of members voting in the affirmative, the motion prevailed.

Representative Gosselin moved to report **HB 5355**, with recommendation. **Representative Marleau** supported the motion.

FAVORABLE ROLL CALL:

YEAS: Reps. Sheen, Meyer, Gosselin, Newell, Drolet, Palmer, Hoogendyk, Stakoe, Jones, Marleau, Condino, Bieda, Farrah, Zelenko. (14/17)

NAYS: Reps. Miller, Meisner, Bennett. (3/17)

PASS: None. (0/17)

A sufficient number of members voting in the affirmative, the motion prevailed.

Representative Jones moved to report **HB 5356**, with recommendation. **Representative Drolet** supported the motion.

FAVORABLE ROLL CALL:

YEAS: Reps. Sheen, Meyer, Gosselin, Newell, Drolet, Palmer, Hoogendyk, Stakoe, Jones, Marleau, Condino, Bieda, Farrah, Zelenko, Miller, Meisner, Bennett. (17/17)

NAYS: None. (0/17)

PASS: None. (0/17)

A sufficient number of members voting in the affirmative, the motion prevailed.

Representative Meyer moved to report **HB 5357**, with recommendation. **Representative Marleau** supported the motion.

FAVORABLE ROLL CALL:

YEAS: Reps. Sheen, Meyer, Gosselin, Newell, Drolet, Palmer, Hoogendyk, Stakoe, Jones, Marleau, Condino, Bieda, Farrah, Zelenko, Miller, Meisner, Bennett. (17/17)

NAYS: None. (0/17)

PASS: None. (0/17)

A sufficient number of members voting in the affirmative, the motion prevailed.

Representative Gosselin moved to adopt the **(H-1)** substitute to **HB 5358**. **Representative Drolet** supported the motion.

FAVORABLE ROLL CALL:

YEAS: Reps. Sheen, Meyer, Gosselin, Newell, Drolet, Palmer, Hoogendyk, Stakoe, Jones, Marleau, Condino, Bieda, Farrah, Zelenko, Miller, Meisner, Bennett. (17/17)

NAYS: None. (0/17)

PASS: None. (0/17)

A sufficient number of members voting in the affirmative, the motion prevailed.

Representative Bennett moved to report **HB 5358** as an **(H-1)**, with recommendation. **Representative Gosselin** supported the motion.

FAVORABLE ROLL CALL:

YEAS: Reps. Sheen, Meyer, Gosselin, Newell, Drolet, Palmer, Hoogendyk, Stakoe, Jones, Marleau, Condino, Bieda, Farrah, Zelenko, Miller, Meisner, Bennett. (17/17)

NAYS: None. (0/17)

PASS: None. (0/17)

A sufficient number of members voting in the affirmative, the motion prevailed.

Representative Condino moved to adopt the **(H-1)** substitute to **HB 5359**. **Representative Gosselin** supported the motion.

FAVORABLE ROLL CALL:

YEAS: Reps. Sheen, Meyer, Gosselin, Newell, Drolet, Palmer, Hoogendyk, Stakoe, Jones, Marleau, Condino, Bieda, Farrah, Zelenko, Miller, Meisner, Bennett. (17/17)

NAYS: None. (0/17)

PASS: None. (0/17)

A sufficient number of members voting in the affirmative, the motion prevailed.

Representative Gosselin moved to report **HB 5359** as an **(H-1)**, with recommendation. **Representative Drolet** supported the motion.

FAVORABLE ROLL CALL:

YEAS: Reps. Sheen, Meyer, Gosselin, Newell, Drolet, Palmer, Hoogendyk, Stakoe, Jones, Marleau, Condino, Bieda, Farrah, Zelenko, Miller, Meisner, Bennett. (17/17)

NAYS: None. (0/17)

PASS: None. (0/17)

A sufficient number of members voting in the affirmative, the motion prevailed.

Representative Miller moved to adopt the **(H-1)** substitute to **HB 5360**. **Representative Gosselin** supported the motion.

FAVORABLE ROLL CALL:

YEAS: Reps. Sheen, Meyer, Gosselin, Newell, Drolet, Palmer, Hoogendyk, Stakoe, Jones, Marleau, Condino, Bieda, Farrah, Zelenko, Miller, Meisner, Bennett. (17/17)

NAYS: None. (0/17)

PASS: None. (0/17)

A sufficient number of members voting in the affirmative, the motion prevailed.

Representative Jones moved to report **HB 5360** as an **(H-1)**, with recommendation. **Representative Meyer** supported the motion.

FAVORABLE ROLL CALL:

YEAS: Reps. Sheen, Meyer, Gosselin, Newell, Drolet, Palmer, Hoogendyk, Stakoe, Jones, Marleau, Condino, Bieda, Farrah, Zelenko, Miller, Meisner, Bennett. (17/17)

NAYS: None. (0/17)

PASS: None. (0/17)

A sufficient number of members voting in the affirmative, the motion prevailed.

Representative Bennett moved to report **HB 5361**, with recommendation. **Representative Gosselin** supported the motion.

FAVORABLE ROLL CALL:

YEAS: Reps. Sheen, Meyer, Gosselin, Newell, Drolet, Palmer, Hoogendyk, Stakoe, Jones, Marleau, Condino, Bieda, Farrah, Zelenko, Miller, Meisner, Bennett. (17/17)

NAYS: None. (0/17)

PASS: None. (0/17)

A sufficient number of members voting in the affirmative, the motion prevailed.

Representative Marleau moved to report **HB 5362**, with recommendation. **Representative Drolet** supported the motion.

FAVORABLE ROLL CALL:

YEAS: Reps. Sheen, Meyer, Gosselin, Newell, Drolet, Palmer, Hoogendyk, Stakoe, Jones, Marleau. (10/17)

NAYS: Reps. Miller, Meisner, Bennett. (3/17)

PASS: Reps. Condino, Bieda, Farrah, Zelenko. (4/17)

A sufficient number of members voting in the affirmative, the motion prevailed.

Representative Gosselin moved to report **HB 5363**, with recommendation. **Representative Palmer** supported the motion.

FAVORABLE ROLL CALL:

YEAS: Reps. Sheen, Meyer, Gosselin, Newell, Drolet, Palmer, Hoogendyk, Stakoe, Jones, Marleau, Condino, Farrah. (12/17)

NAYS: Reps. Miller, Meisner, Bennett. (3/17)

PASS: Reps. Bieda, Zelenko. (2/17)

A sufficient number of members voting in the affirmative, the motion prevailed.

Representative Marleau moved to adopt the **(H-2)** substitute to **HB 5364**. **Representative Jones** supported the motion.

FAVORABLE ROLL CALL:

YEAS: Reps. Sheen, Meyer, Gosselin, Newell, Drolet, Palmer, Hoogendyk, Stakoe, Jones, Marleau. (10/17)

NAYS: Reps. Bieda, Zelenko, Miller, Meisner, Bennett. (5/17)

PASS: Reps. Condino, Farrah. (2/17)

A sufficient number of members voting in the affirmative, the motion prevailed.

Representative Gosselin moved to report **HB 5364** as an **(H-2)**, with recommendation. **Representative Marleau** supported the motion.

FAVORABLE ROLL CALL:

YEAS: Reps. Sheen, Meyer, Gosselin, Newell, Drolet, Palmer, Hoogendyk, Stakoe, Jones, Marleau. (10/17)

NAYS: Reps. Zelenko, Miller, Meisner, Bennett. (4/17)

PASS: Reps. Condino, Bieda, Farrah. (3/17)

A sufficient number of members voting in the affirmative, the motion prevailed.

Representative Jones moved to report **HB 5386**, with recommendation. **Representative Marleau** supported the motion.

FAVORABLE ROLL CALL:

YEAS: Reps. Sheen, Meyer, Gosselin, Newell, Drolet, Palmer, Hoogendyk, Stakoe, Jones, Marleau. (10/17)

NAYS: Reps. Condino, Bieda, Farrah, Zelenko, Miller, Meisner, Bennett. (7/17)

PASS: None. (0/17)

A sufficient number of members voting in the affirmative, the motion prevailed.

There being no further business before the committee, **Chairman Sheen** declared the meeting adjourned, the time being 10:50 a.m.

Representative Fulton Sheen, Chair

Eric Esch, Committee Clerk (517) 373-0070